

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION**

**WILLIAM EARL HOLLOMAN,**

**Plaintiff,**

**vs.**

**SHIRLEY LEWIS, et al.,**

**Defendants.**

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**Civil Case No.  
7:09-cv-109 (HL)**

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**ORDER**

This matter has been pending before the Court for approximately two years. Plaintiff filed his original complaint under 42 U.S.C. § 1983 in September 2009, alleging that Defendants were deliberately indifferent to his serious medical needs while he was under their care and supervision at the Lowndes County Jail.

In the early stages of litigation, Plaintiff submitted documents to the Court in the appropriate fashion; however, since March 4, 2011, Plaintiff has not communicated with the Court at all. Plaintiff did not respond to any of the documents sent by the Court notifying him of his upcoming trial date, nor did he abide by the order of the Court of July 29, 2011 requiring both parties to file trial briefs. (Doc. 40).

At 9:00 a.m. on September 8, 2011, the appointed time and date for trial of this case, Plaintiff was absent. Defendants were present and prepared for trial with numerous witnesses ready to testify. The Court waited until 9:20 a.m., but

Plaintiff did not appear. The Court proceeded to discuss with Defendants the proper disposition for the case.

Defendants argued that they should prevail in this action on the merits. In the alternative, Defendants contended that because Plaintiff was unreachable, the case should be dismissed. To support this argument, defense counsel presented to the Court an envelope containing the Defendants' trial brief. The letter was addressed to Plaintiff at his last known address, but was returned with a mark from the postal service that read "vacant – unable to forward."

It is the responsibility of the plaintiff to keep the court informed of a current address where the plaintiff may be reached. Barber v. Harrison, No. 5:10-cv-135 (CAR), 2011 WL 1811685, at \*1 (M.D. Ga. Apr. 15, 2011). Failure to do so will result in the assumption that the plaintiff has abandoned his or her claim. Id.

In this case, not only has Plaintiff declined to provide any current information to the Court on where to reach him, but more egregiously, he has disobeyed the Court's explicit order to submit a trial brief. Thus, Plaintiff has effectively abandoned his claim and the only result is that this case must be dismissed without prejudice.

**SO ORDERED**, this 9th day of September, 2011.

**s/ Hugh Lawson**  
HUGH LAWSON, SENIOR JUDGE

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